

1 BILL NO. R- 79-06-22)

2 RESOLUTION NO. R- 30-79

3 A RESOLUTION finding, determining and ratifying
4 an inducement resolution of the Fort Wayne
5 Economic Development Commission authorizing
6 the issuance and sale of \$3,000,000.00 Economic
7 Revenue Bonds of the City of Fort Wayne, Indiana,
8 for the purpose of inducing the Applicant to
9 proceed with the acquisition, construction and
10 equipping of the Project.

11 WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer")
12 is authorized by I.C. 18-6-4.5 (the "Act") to issue revenue bonds
13 for the financing of economic development facilities, the funds
14 from said financing to be used for the acquisition, construction
15 and equipping of said facilities either directly or by loan to
16 a company and said facilities to be either directly owned by a
17 company or leased to a company or sold to a company; and

18 WHEREAS, Fort Wayne Pools, Inc. (the "Applicant")
19 has advised the Fort Wayne Economic Development Commission and
20 the Issuer that it proposes that the Issuer acquire, construct
21 and equip an economic development facility and sell or lease
22 the same to the Applicant or that the Issuer loan the proceeds
23 of such a financing to the Applicant for such purposes said
24 economic development facility to consist of a single story
25 metal building and related access and parking facilities to
26 be used for the manufacture of structural foam pool walls, pool
27 steps and pool components, related equipment and processes and
28 office space. The facility will be located within the Lincoln
29 Industrial Center on Lincoln Parkway, Fort Wayne, Indiana (the
30 "Project"); and

31 WHEREAS, Fort Wayne Pools, Inc., an Indiana Corpora-
32 tion will guarantee all bond payments, if necessary; and

1 WHEREAS, the diversification of economic development
2 and an increase in 20 to 25 job opportunities to be achieved
3 by the acquisition, construction and equipping of the Project
4 will be of public benefit to the health, safety and general
5 welfare of the Issuer and its citizens; and

6 WHEREAS, having received the advice of the Fort Wayne
7 Economic Development Commission, it would appear that the
8 financing of the Project would be of public benefit to the health,
9 safety and general welfare of the Issuer and its citizens; and

10 WHEREAS, the acquisition and construction of the
11 facility will not have an adverse competitive effect on any simi-
12 lar facility already constructed or operating in or about Fort
13 Wayne, Indiana;

14 NOW, THEREFORE, BE IT RESOLVED by the Common Council
15 of Fort Wayne:

16
17 1. The Common Council finds, determines,
18 ratifies and confirms that the promotion of di-
19 versification of economic development and job
20 opportunities in and near Fort Wayne, Indiana and
21 in Allen County, is desirable to preserve the
22 health, safety and general welfare of the citizens
23 of the Issuer; and that it is in the public interest
24 that Fort Wayne Economic Development Commission and
25 said Issuer take such action as it lawfully may
26 to encourage diversification of industry and pro-
27 motion of job opportunities in and near said Issuer.

28 2. The Common Council further finds, deter-
29 mines, ratifies and confirms that the issuance and
30 sale of revenue bonds in an amount not to exceed
31
32

1 \$3,000,000 of the Issuer under the Act for the
2 acquisition, construction and equipping of the
3 Project and the sale or leasing of the Project to
4 the Applicant or the loaning of the proceeds of such
5 a financing to the Applicant for such purposes will
6 serve the public purposes referred to above, in
7 accordance with the Act.
8

9 3. In order to induce the Applicant to pro-
10 ceed with the acquisition, construction and equip-
11 ping of the Project, the Common Council hereby
12 finds, determines, ratifies and confirms that (i)
13 it will take or cause to be taken such actions
14 pursuant to the Act as may be required to imple-
15 ment the aforesaid financing, or as it may deem
16 appropriate in pursuance thereof, provided that all
17 of the foregoing shall be mutually acceptable to
18 the Issuer and the Applicant; (ii) it will adopt
19 such ordinances and resolutions and authorize the
20 execution and delivery of such instruments and
21 the taking of such action as may be necessary and
22 advisable for the authorization, issuance and sale
23 of said economic development bonds.
24

25 4. All costs of the Project incurred after
26 the passage of this inducement resolution, including
27 reimbursement or repayment to the Applicant of
28 moneys expended by the Applicant for planning, en-
29 gineering, interest paid during construction, under-
30 writing expenses, attorney and bond counsel fees,
31 acquisition, construction and equipping of the Pro-
32

CITY OF FORT WAYNE

Vivian G. Schmidt
Councilman

APPROVED AS TO
FORM & LEGALITY

William N. Salin, City Attorney

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: _____

CITY CLERK

Read the third time in full and on motion by V. Schmidt

seconded by Hinga, and duly adopted, placed on its passage.

PASSED ~~(LOST)~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>URNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>INGA</u>	<u>✓</u>	_____	_____	_____	_____
<u>UNTER</u>	<u>✓</u>	_____	_____	_____	_____
<u>OSSES</u>	<u>✓</u>	_____	_____	_____	_____
<u>UCKOLS</u>	<u>✓</u>	_____	_____	_____	_____
<u>CHMIDT, D.</u>	<u>✓</u>	_____	_____	_____	_____
<u>CHMIDT, V.</u>	<u>✓</u>	_____	_____	_____	_____
<u>IER</u>	<u>✓</u>	_____	_____	_____	_____
<u>ALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 6-26-79

Charles W. Whitman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

~~(ZONING MAP)~~ ~~(GENERAL)~~ ~~(ANNEXATION)~~ ~~(SPECIAL)~~ ~~(APPROPRIATION)~~ ORDINANCE

RESOLUTION) No. R-30-79 on the 26th day of June, 19____.

ATTEST: (SEAL)

Charles W. Whitman
CITY CLERK

Winifred C. Moore Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A M., E.S.T.

Charles W. Whitman
CITY CLERK

Approved and signed by me this 5 day of July, 19____.

the hour of 3:30 o'clock

Robert E. Hinchey
MAYOR